



April 8, 2021

Honorable Steven L. Tiscione
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Francisco Suriel v. The Port Authority of New York and New Jersey, et al.
Docket No.: 19-cv-3867

Dear Judge Tiscione:

The Port Authority of New York and New Jersey (the Port Authority) and the individual police officer defendants, Andrew Samuel, Joseph Opromalla, Jeremy Kahn and Brett Telesford, respectfully request that this Court "so order" the attached subpoena to the Health and Hospitals Corporation so that we may proceed with discovery and depositions. Your Honor previously "so-ordered" two subpoenas directed to FDNY on March 10, 2021 for medical records and depositions of relevant witnesses with knowledge that were working at Queens Central Booking on the night of the incident. In response to the subpoena duces tecum, FDNY has directed defendants to Health and Hospitals Corporation as the custodian of records for the documents we seek of any medical records arising from medical treatment of Mr. Suriel at Queens Central Booking by FDNY EMS. FDNY has also advised defendants that they will not produce any EMTs for deposition without these documents from Health and Hospitals Corporation.

Accordingly, defendants respectfully request this Court "so order" the attached subpoena so that the parties may obtain these records and also identify the relevant FDNY personnel who treated and evaluated Mr. Suriel and depose those individuals pursuant to the March 10, 2021 "so-ordered" subpoena. Defendants have provided plaintiff with a HIPAA-compliant authorization directed to Health and Hospitals Corporation to complete and return so that we may subpoena these records with an appropriate authorization.

Respectfully submitted,

PORT AUTHORITY LAW DEPARTMENT
Attorneys for Defendants

By: 
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Cc: Gabriel Harvis, Esq. (*via e-filing*)